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SEP 23 2005

05-MC-00142-ORD

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON, AT SEATTLE

EMPLOYEE PAINTERS TRUST HEALTH &
WELFARE FUND, WESTERN
WASHINGTON PAINTERS DEFINED
CONTRIBUTION PENSION TRUST,
WESTERN WASHINGTON
APPRENTICESHIP AND TRAINING TRUST,
WESTERN WASHINGTON PAINTERS
LABOR MANAGEMENT COOPERATION
TRUST FUND, INTERNATIONAL UNION
OF PAINTERS & ALLIED TRADES
PENSION FUND and INTERNATIONAL
BROTHERHOOD OF PAINTERS & ALLIED
TRADES UNION & INDUSTRY FUND,

Plaintiffs,

vs.

A.C. WRIGHT & SONS, INC., BERNARD W.
MELICK and "JANE DOE" MELICK, husband
and wife and the marital community comprised
thereof,

Defendants.

CAUSE NO.: MS05-142

AMENDED ORDER FOR
EXAMINATION OF JUDGMENT
DEBTOR

Clerk's Action Required

Pursuant to Plaintiffs Employee Painters Trust Health & Welfare Fund, Western
Washington Painters Defined Contribution Pension Trust, Western Washington Apprenticeship
and Training Trust, Western Washington Painters Labor Management Cooperation Trust Fund,

AMENDED ORDER FOR EXAM OF JUDGMENT DEBTOR
PAGE 1 OF 8

EKMAN, BOHRER & THULIN, P.S.
QUEEN ANNE SQUARE
220 WEST MERCER ST., SUITE 400
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1 International Union of Painters & Allied Trades Pension Fund and International Brotherhood of
2 Painters & Allied Trades Union & Industry Fund's (Trust Funds) Motion for an Order requiring
3 Judgment Debtor's attendance at an examination of debtor hearing and proof having been made
4 that an unsatisfied judgment against Judgment Debtor exists, it is hereby

5 **ORDERED** that Bernard W. Melick, President of A.C. Wright & Sons, Inc. appear at
6 the U.S. District Court for the Western District of Washington, at Seattle, on the 20th day
7 of October, 2005 at 10:00 (a.m./p.m.) before the Honorable
8 James Donahue, Room No. 12B then and there to answer under
9 oath questions concerning any property which he has in his possession, or under his control
10 which should be applied towards satisfaction of the Judgment rendered in this action.

11 **IT IS FURTHER ORDERED** that Bernard W. Melick answer the attached
12 questionnaire and bring the written responses to the examination.

13 **IT IS FURTHER ORDERED** that Plaintiffs are entitled to their service fee in the
14 amount of \$25.00 and an appearance fee in the amount of \$25.00 for a total of \$50.00.

15 **IT IS FURTHER ORDERED** that Plaintiffs may apply for their attorney's fees if
16 Judgment Debtor does not appear.

17 **IT IS FURTHER ORDERED** if Judgment Debtor does not appear, a warrant will be
18 issued for his arrest and shall be further obligated to Judgment Creditor for their attorney's fees.

19 DATED at Seattle, Washington, this 22 day of September 2005.

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23 U.S. District Court Judge U.S. Magistrate Judge
24
25

1 Presented by:

2 s/Robert A. Bohrer

WSBA #5050

3 Ekman, Bohrer & Thulin, P.S.

220 W. Mercer, Ste. 400

4 Seattle, WA 98119

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6 Attorney for Plaintiffs

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25
AMENDED ORDER FOR EXAM OF JUDGMENT DEBTOR
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Name: _____

Date: _____

Address: _____

Telephone No.: _____

CORPORATE QUESTIONNAIRE

1. What is the nature of the corporation?
2. How long has the corporation been in existence?
3. State fully and completely the names and addresses of all officers and directors of the corporation stating specifically the office held by each individual.
4. Does the corporation have a checking account? If so, where? Account No.?
5. Does the corporation have a savings account? If so, where? Account No.?
6. What is the average deposit in both? Does the corporation make regular deposits?
7. Is the account in the name of the corporation, or in some other name?
8. What is the balance at the present time in each account listed in response to questions No. 4 and 5?
9. Does anyone owe the corporation money for any reasons whatsoever?
10. Does the corporation have any claims against any person or entity for money, or for property?

11. If so, give name, address, etc.
12. Is the debt evidenced by a note?
13. Is the debt secured by anything such as a mortgage?
14. When is the debt due or is it past due?
15. When was the debt incurred?
16. Does the corporation own the building in which its offices are located? If so, please state the value of the corporation's equity in the property.
17. Is the property referred to in question No. 16 currently for sale? If the answer is yes, please state the name of the listing agent.
18. Does the corporation own or have an interest in, or is it buying any properties whatsoever?
19. If so, what is the location and address?
20. Is the property improved or unimproved?
21. Is the corporation currently selling any property to another? If so, to whom? Name and address?
22. Where is the location of the property and what is its nature?
23. What is the balance due on the contract?

24. What is the monthly payment?
25. What are the terms of payment – payments, dates, etc.?
26. Does the corporation own office equipment, furnishings and/or computer equipment? If so, please specify by item and its approximate value.
27. Does the corporation hold any negotiable or non-negotiable instruments or securities? If so, what?
28. Does the corporation own any stock in another company or interest in a joint stock company or mutual fund?
29. If so, give the name of the corporation, the amount of shares held, and whether the shares are in the name of the corporation or another corporation.
30. Does the corporation own any automobiles or trucks?
31. How many?
32. Give make, model, year, license number and approximate value.
33. Does the corporation own any construction equipment or tools? If so, please state each item and its approximate value.
34. Does the corporation own a boat or other property? If so, give its nature, where it is located, approximate value and the debts, if any, against it, and to whom the debt is owned.

35. Does the corporation have any unliquidated claims of any nature against anyone? What are they; against whom; and what is their estimated value?
36. Has the corporation made any transfers of any real or personal properties, including cars, money, vacant land, stocks, equipment – anything within the last year?
37. If so:
- a. What:
 - b. When:
 - c. To whom:
 - d. Consideration therefore:
38. Did the corporation file an income tax return last year? If so, where?
39. Does the corporation own any patents, copyrights or trademarks?

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

_____, being first duly sworn on oath, deposes and says:

He/she is the defendant in this matter; he/she has read the foregoing answers, knows the contents thereof, and believes the same to be true.

NOTARY PUBLIC in and for the State of Washington,
residing at _____
My commission expires _____